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Federal Government declares a public order emergency under the *Emergencies Act* to end disruptions, blockades and the occupation of the city of Ottawa

From: [Public Safety Canada](#)

News release

The Government of Canada's top priority remains to keep people and communities safe, and to protect jobs, trade, and our economy. The federal government is working with provinces and municipalities to get the current situation under control and end the ongoing illegal blockades and occupations taking place across the country.

Today, the Honourable David Lametti, Minister of Justice and Attorney General of Canada, with the support of the Honourable Marco Mendicino, Minister of Public Safety, and the Honourable Bill Blair, President of the Queen's Privy Council in Canada and Minister of Emergency Preparedness, announced the declaration of a public order emergency under the *Emergencies Act*, to end disruptions, border blockades and the occupation of Ottawa's downtown core.

The public order emergency grants the Government the authority to apply the following temporary measures:

- Regulating and prohibiting public assemblies, including blockades, other than lawful advocacy, protest or dissent

- Regulating the use of specified property, including goods to be used with respect to a blockade
- Designating and securing places where blockades are to be prohibited (e.g. borders, approaches to borders, other critical infrastructure)
- Directing specified persons to render essential services to relieve impacts of blockades on Canada's economy
- Authorizing or directing specified financial institutions to render essential services to relieve the impact of blockades, including by regulating and prohibiting the use of property to fund or support the blockades
- Measures with respect to authorizing the Royal Canadian Mounted Police to enforce municipal and provincial laws by means of incorporation by reference
- The imposition of fines or imprisonment for contravening on any of the measures declared under this public order emergency

In order to declare a public order emergency, the *Emergencies Act* requires that there be an emergency that arises from threats to the security of Canada that are so serious as to be a national emergency. Threats to the security of Canada may include the threat or use of acts of serious violence against persons or property for the purpose of achieving a political or ideological objective. A national emergency is an urgent, temporary and critical situation that seriously endangers the health and safety of Canadians that cannot be effectively dealt with by the provinces or territories, or that seriously threatens the ability of the Government of Canada to preserve the sovereignty, security and territorial integrity of Canada. It must be a situation that cannot be effectively dealt with by any other law of Canada.

When a declaration of a public order emergency is made under the *Emergencies Act*, it allows the federal government to make orders and regulations that it believes are necessary for dealing with the emergency, on

reasonable and proportional grounds.

The *Emergencies Act* has stringent, built-in protections which ensure democratic oversight of the use of these powers. Any declaration under the *Emergencies Act* must be laid before both the House of Commons and the Senate within timelines set out in the Act for confirmation. Any steps taken by the Government under the *Emergencies Act* must be consistent with the *Canadian Charter of Rights and Freedoms*, and must be reasonable and proportional to the risks to the public health and safety of Canadians.

Anyone participating in the blockades is urged to return to their communities peacefully and immediately. The Government's top priority remains to keep people and communities safe, and to protect jobs, trade, and our economy. These blockades must be brought to an end, and the federal government will continue working on every option to end them.

Quotes

"Over the past several weeks, illegal blockades and occupations have disrupted the peace in many communities across Canada, and have hurt our economy. Today's declaration of a public order emergency is an extraordinary measure that is time-limited, and that will ensure that we restore peace in our communities."

The Honourable David Lametti, P.C., Q.C., M.P.

Minister of Justice and Attorney General of Canada

“The authorities granted under the Emergencies Act will help end the illegal blockades and uphold the law. They are targeted, measured, temporary - and proportionate to the urgent circumstances facing our country. These authorities are part of a responsible & scalable approach, and are entirely consistent with the Charter. We will continue to support law enforcement at all levels to secure our borders and critical infrastructure, safeguard our economy and protect the health and safety of Canadians.”

The Honourable Marco Mendicino

Minister of Public Safety

“This is a critical moment for our country. The Government of Canada is taking these extraordinary steps to support law enforcement and swiftly end the unlawful blockades that are threatening the safety of our communities, our infrastructure, and our borders.”

The Honourable Bill Blair

President of the Queen’s Privy Council for Canada and Minister of Emergency Preparedness

Quick facts

- There are four types of national emergencies that can be declared under the Emergencies Act: a public welfare emergency, a public order emergency, an international emergency, or a war emergency.
- A national emergency is an urgent, temporary and critical situation that seriously endangers the health and safety of Canadians that cannot be effectively dealt with by the provinces or territories, or that

seriously threatens the ability of the Government of Canada to preserve the sovereignty, security and territorial integrity of Canada. It must be a situation that cannot be effectively dealt with by any other law of Canada.

- A public order emergency may be declared where an emergency arises from threats to the security of Canada that are so serious as to be a national emergency. Threats to the security of Canada may include the threat or use of acts of serious violence against persons or property for the purpose of achieving a political or ideological objective.
- The Act can grant the federal government additional powers, compared to what is usually available outside of a time of emergency. However, the Act contains provisions limiting which orders or regulations the federal government can make.
- The Emergencies Act requires consultation with provinces and territories before a public order emergency can be declared, unless the provinces and territories cannot be adequately consulted without unduly jeopardizing the effectiveness of the proposed action. On the basis of those consultations, and when the Government concludes that the situation cannot be effectively dealt with under any other federal, provincial or territorial law, the Government may make a declaration of a public order emergency.
- The measures introduced by the Government of Canada demonstrate respect for constitutionally protected rights and freedoms, including the right of citizens to enter Canada and the right to life, liberty and security of person, as well as Canada's obligations under international law.

- Once the Government makes a formal declaration of a public order emergency, the declaration is effective for up to 30 days. However, the Houses of Parliament must confirm this declaration, and it has the power to revoke it at any time, as does the Government.
- If the federal government determines that it is necessary to extend the Declaration, this continuation must be confirmed by the Houses of Parliament. The provinces and territories must also be consulted again before a Declaration may be extended.
- A foreign national must not enter Canada with the intent to participate in or facilitate a prohibited assembly. Foreign nationals who seek to enter Canada for these purposes can be denied boarding prior to departure, and denied entry at a port of entry. There are limited exemptions to the prohibition on entry, for specified classes of foreign nationals.

Related products

- [Backgrounder: Canada's Emergencies Act](#)

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